

6.12 - RO-1 HIGH DENSITY RESIDENTIAL-PROFESSIONAL OFFICE DISTRICT

6.12.1 PERMITTED USES:

Within the RO-1 High Density Residential- Professional Office District the following uses are permitted:

- 6.12.1.1 Single-family, two-family, and multi-family dwellings;
- 6.12.1.2 Day-care centers, adult day-care centers, and dance schools;
- 6.12.1.3 Churches, including parish houses and Sunday school buildings;
- 6.12.1.4 Fraternal organizations and clubs not operated for profit;
- 6.12.1.5 Student activity centers;
- 6.12.1.6 Public utility stations;
- 6.12.1.7 Municipal, county, state, or federal buildings or land uses;
- 6.12.1.8 Elementary and secondary schools, colleges, universities, and similar institutions, public or private with or without students in residence;
- 6.12.1.9 Fraternity or Sorority houses;
- 6.12.1.10 Libraries, museums, and art galleries;
- 6.12.1.11 Clinics;
- 6.12.1.12 Office Buildings: government and private office buildings, including professional offices. For the purposes of this Section, a permitted office building is defined as a building having not less than fifty (50) percent of its total floor area occupied by medical, dental, governmental, private, or professional office uses;
- 6.12.1.13 Drug stores, located within a permitted office building as defined in Subsection 6.12.1.12;
- 6.12.1.14 Barber and beauty shops, located within a permitted office building as defined in Subsection 6.12.1.12;
- 6.12.1.15 Branch banks, located within a permitted office building as defined in Subsection 6.12.1.12;

6.12.1.16 Accessory structures and uses, provided they are located in the rear yard and setback a minimum of seven and one-half (7 ½) feet from all property lines;

6.12.1.17 Bed-and-breakfast inns, provided:

- A. There shall be no more than twelve (12) registered adult guests at one time and a current guest register must be kept by the owner (or manager);
- B. The owner (or manager) must reside on the premises;
- C. Parking shall be located at the rear or side of the building and not be visible from any public right-of-way (excluding alleys) or adjacent property;
- D. All necessary state and city permits, certifications, or requirements be obtained as a condition of a bed-and-breakfast inn service; and
- E. No exterior alterations, other than those necessary to assure safety of the structure, shall be made to any building for the purpose of providing bed-and-breakfast.

6.12.1.18 Group homes, subject to the requirements of Subsection 6.6.1.5;

6.12.1.19 Residential homes for the aged, subject to the requirements of Subsection 6.6.1.6;

6.12.1.20 Emergency or temporary shelters, provided:

- A. The shelter houses no more than twenty-five (25) persons for no more than thirty (30) days per person. Length of stay may be extended when extenuating circumstances can be shown to the Shelter Director; and
- B. All other applicable conditions for approval listed in Subsection 6.6.1.7 are met.

6.12.1.21 Portrait studio, provided:

- A. The use shall be located on an arterial or collector street; and
- B. Off-street parking shall be provided in either the side or rear yard at one (1) space per three hundred (300) square feet of floor area used in conjunction with the business; and

6.12.1.22 Professional Services.

6.12.2 USES PERMITTED BY APPROVAL AS SPECIAL EXCEPTION:

The following uses are permitted when approved by the Board of Zoning Appeals as Special Exceptions as provided by Section 15.4:

- 6.12.2.1 Restaurants, provided:
 - A. Food is prepared to be consumed within the principal building only; and
 - B. The restaurant is located within a permitted office building as defined in Subsection 6.12.1.12.
- 6.12.2.2 Mortuary establishments, provided such establishments will not cause undue traffic congestion or create a traffic hazard;
- 6.12.2.3 Hospitals for the treatment of human ailments, provided they are located on an arterial or collector street, on a street constructed to industrial or commercial standards, or where a portion of the property lies within five hundred (500) feet of an arterial or collector street;
- 6.12.2.4 Gasoline service stations, provided:
 - A. Service stations principal and accessory buildings shall not be constructed closer than forty (40) feet to any side or rear lot line nor closer than forty-five (45) feet to any street right-of-way;
 - B. Gasoline pump islands shall not be located closer than thirty (30) feet to any street right-of-way line nor closer than forty (40) feet to any side or rear lot line which abuts an RO-1 or more restrictive zone but which does not abut a street right-of-way; and
 - C. Canopies shall not be constructed closer than thirty (30) feet from any street right-of-way (Since the code states that variances may only be given when special conditions prevent the beneficial use of land, if a gasoline station may be constructed on a lot, the land has resulted in beneficial use; and, therefore, no waiver may be given permitting the canopy to extend closer than thirty (30) feet to the street right-of-way).
- 6.12.2.5 Golf courses, subject to the provisions of Subsection 6.7.2.3;
- 6.12.2.6 Group homes, subject to the requirements of Subsection 6.8.2.3;
- 6.12.2.7 Antique sales and home decorating service;
- 6.12.2.8 Alternative tower structures; and
- 6.12.2.9 Tearoom provided:

- A. The structure shall be located on an arterial street;
- B. The use shall be located either in a residential structure or bed-and-breakfast inn with the owner residing on the premises of the residential structure of the bed-and-breakfast inn. Tearooms not part of a bed-and breakfast inn shall provide a minimum of five (5) off-street parking spaces located in the side or rear yard;
- C. No exterior alterations designed to increase seating capacity shall be permitted;
- D. Kitchen facilities shall meet applicable code requirements;
- E. Outside dining shall be screened from adjacent residential uses by a six-foot opaque wooden fence, Type 1 buffer, or other acceptable screening approved by the BZA;
- F. Operation shall be limited to the hours of 11:00 AM to 7:00 PM, seven days a week; and
- G. Any other conditions deemed appropriate by the BZA to ensure protection of surrounding residential uses.

6.12.3 AREA REGULATIONS:

All buildings and uses, unless otherwise specified in this Code, shall comply with the following setback, coverage, and area requirements:

6.12.3.1 Minimum Lot Size:

- A. Minimum lot size shall be 6,000 square feet.
- B. Minimum lot width shall be fifty (50) feet at the front building line.

6.12.3.2 Density:

Maximum density shall be thirty-five (35) dwelling units per acre.

6.12.3.3 Yard Area:

- A. Front Yard:
Minimum front yard setback shall be twenty-five (25) feet on an arterial or collector street and ten (10) feet on all other streets. Front-facing garages shall have a minimum setback of twenty-five (25) feet on all streets.

- B. Side Yard:
Minimum side yard setback shall be eight (8) feet.
- C. Rear Yard:
Minimum rear yard setback shall be thirty (30) feet.

6.12.4 MAXIMUM LOT COVERAGE:

The principal building and all accessory buildings shall cover not more than thirty-five (35) percent of the total lot area.

6.12.5 HEIGHT REGULATIONS:

Unlimited.

6.12.6 SIDEWALK REQUIREMENT:

Sidewalks shall be required for all adult day care centers, churches, dance schools, day-care centers, fraternal organizations, government buildings, hospitals, libraries/museums/art galleries, public utility stations, schools, student activity centers, bed-and-breakfast inns, golf courses, multi-family residential, office, and commercial developments along their public street frontages in accordance with the Article IX, Sidewalk Regulations, and The Standards of Design for Streets and Drainage.

6.12.7 CONCEPT PLAN REQUIRED:

Each application for a rezoning request shall be accompanied by five sets of a concept plan as described in Article XIV, Subsection 14.3.1. The review and approval process for such concept plan shall be as described in Subsection 14.3.2.